

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/10/2025
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UNITED STATES OF AMERICA

**Order of Restitution**

v.

ANTHONY ABERNATHY,

21 Cr. 323 (VM)

Defendant.

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Upon the application of the United States of America, by its attorney, Matthew Podolsky, Acting United States Attorney for the Southern District of New York, David J. Robles, Assistant United States Attorney, of counsel; the presentence investigation report; the defendant's conviction on Count Three of the Indictment; and all other proceedings in this case, it is hereby ORDERED that:

**1. Amount of Restitution**

Anthony Abernathy, the defendant, shall pay restitution in the total amount of \$200,000, pursuant to 18 U.S.C. §§ 3663 and 3663A, to Brink's U.S., a victim of the offense charged in Count Three, as reflected in the Schedule of Victims, attached hereto as Schedule A. Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of Court is authorized to send payments to the new address without further order of this Court.

**2. Schedule of Payments**

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the defendant; and any financial obligations of the defendant; including obligations to dependents, the defendant shall pay restitution in the manner and according to the schedule that follows:

(a) In the interest of justice, restitution will be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2). The defendant will commence monthly installment payments of at least fifteen percent of the defendant's gross income, payable on the first day of each month.

This schedule is without prejudice to the Government taking enforcement actions, pursuant to 18 U.S.C. § 3613, to the extent warranted. In addition, as previously ordered by the Court, any interest payments on the restitution described herein are waived.

**3. Payment Instructions**

The defendant shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at <https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the "SDNY Clerk of Court" and mailed or delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendant shall write his name and the docket number of this case on each check or money order.

**4. Change in Circumstances**

The defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Program) of (1) any change of the defendant's name, residence, or mailing address or (2) any material change in the defendant's financial resources that affects the defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k).

**5. Term of Liability**


The defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

MATTHEW PODOLSKY  
Acting United States Attorney for the  
Southern District of New York

By: /s/  
David J. Robles  
Assistant United States Attorney  
Southern District of New York

3/10/2025  
DATE

SO ORDERED:

  
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HONORABLE VICTOR MARRERO  
UNITED STATES DISTRICT JUDGE

3/10/2025  
DATE

**Schedule A**

<b>Name</b>	<b>Address</b>	<b>Amount of Restitution</b>
Brink's U.S.	555 Dividend Drive Coppell, TX 75019	\$200,000.00